

## **REMARKS**

This is intended as a full and complete response to the Office Action dated August 3, 2007, having an extended statutory period for response set to expire on December 3, 2007. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-3, 5-7, 9-12, 14, 15, 17-23, 25, 26, 28 and 29 are pending in the application. Claims 1-3, 5-7, 9-12, 14, 15, 17-23, 25, 28 and 29 remain pending following entry of this response. Claim 26 has been cancelled, and claims 1, 9, and 20 have been amended. Applicants submit that the amendments do not introduce new matter.

### Double Patenting Rejection

Claims 1-34 of application no. 10/037,595 contains every element of claims 1-30 and as such anticipates claims 1-3, 5-7, 9-12, 14, 15, 17-23, 25, 26, 28 and 29 of the instant application.

Subsequent to the mailing date of the present office action, the 10/037,595 application has been abandoned. Accordingly, Applicants respectfully request that this rejection be withdrawn.

### Interview Summary

On December 3, 2007, a telephonic interview was held between Jon K. Stewart, attorney for Applicants, and Examiner Joseph E. Avellino. During the interview, the parties discussed a proposed amendment to independent claims 1, 13, and 20. The proposed amendments are reflected in this response. The Examiner agreed that the proposed amendments would put this case in condition for allowance. Additional details regarding the telephonic interview are set forth below.

Claim Rejections - 35 U.S.C. § 103

Claims 1-7, 9-11, 14-15, 17-18, 20-22, 25, 26, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Nair* (US 2003/0217184) in view of *Beighe* (USPN 6,055,576) in view of *Morris et al.* (US 2003/0081601) (hereinafter *Morris*). Applicants respectfully traverse this rejection.

Applicants have amended claims 1, 13 and 20 to incorporate limitations from claim 26. During the December 3, 2007 interview, the Examiner agreed that incorporating the limitations recited by claim 26 would put the Application in condition for allowance.

Applicants also note a discrepancy in the current office action. On page 1, the Office Action Summary indicates that claims 1-3, 5-7, 9-12, 14, 15, 17-23, 25, 26, 28 and 29 are pending (box 4) and also lists these same claims as being rejected (box 6). However, under an "Allowable Subject Matter" heading the Examiner states:

Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and overcoming any other rejections.

The Examiner believes if the limitations of claim 20 were incorporated into the other independent claims, they would overcome the current art rejections.

*Office Action*, pp. 3-4. During the December 3, 2007 interview, the Examiner stated that the reference to independent claim 20 on Pages 3 and 4 was inadvertent and that he had intended to refer to dependent claim 26. Based on the interview, Applicants have amended independent claims 1, 13, and 20 to recite the substance of claim 26. Accordingly, Applicants submit that independent claims 1, 13, and 20, as well as dependent claims 2-7, 9-11, 14-15, 17-18, 21-22, 25, 26, and 28-29, are in condition for allowance, and respectfully request allowance of same.

Claims 12 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Nair-Beighe-Morris* in view of *Glasser et al.* (USPN 5,764,890) (hereinafter *Glasser*). Applicants respectfully traverse this rejection.

Claims 12 and 23 depend from one of claim 1 and 20. Applicants believe the amendments put claims 1 and 20 in condition for allowance. Applicants respectfully request, therefore, that the rejection of dependent claims 12 and 23 be withdrawn.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Nair Beighe-Morris* in view of *Fry et al.* (USPN 4,467,411) (hereinafter *Fry*). Applicants respectfully traverse this rejection.

Claims 19 depends from one of claim 13. Applicants believe the amendments put claim 13 in condition for allowance. Applicants respectfully request, therefore, that the rejection of dependent claim 19 be withdrawn.

#### Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

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